



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DISC/25/0343

Southwater Business Park, Sony Dadc Uk Limited Worthing Road Southwater West Sussex RH13 9YT

DESCRIPTION:

Application for Approval of Details Reserved by Condition 4 (verification contamination) to approved application DC/23/1843 (Demolition of existing warehouse buildings. Erection of new single-storey buildings to provide employment units for a flexible range of employment uses (Use Classes E(g)(iii), B2 and/or B8) with ancillary offices, together with associated access road, hard and soft landscaping, cycle parking, car parking, EV charging, service yard, loading bays, site infrastructure and associated works.

DETAILED DESCRIPTION:

Planning Application DC/23/1843 was permitted in July 2024. This permitted the demolition of existing warehouse buildings and erection of new single-storey buildings to provide employment units for a flexible range of employment uses (Use Classes E(g)(iii), B2 and/or B8) with ancillary offices, together with associated access road, hard and soft landscaping, cycle parking, car parking, EV charging, service yard, loading bays, site infrastructure and associated works.

Approval is now sought for the discharge of Condition 4 (verification contamination).

The details submitted comprise of 000440032.0002.0001 VERIFICATION REPORT version 3 dated 9th June 2026 Verification Report SONY Former Sony Facility Southwater Horsham RH13 9YT by TRC Companies Limited.

RELEVANT PLANNING HISTORY:

DC/23/1846	Demolition of existing warehouse buildings. Erection of new single-storey buildings to provide employment units for a flexible range of employment uses (Use Classes E(g)(iii), B2 and/or B8) with ancillary offices, together with associated access road, hard and soft landscaping, cycle parking, car parking, EV charging, service yard, loading bays, site infrastructure and associated works.	Permitted 12/07/2024
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CONSULTATIONS AND REPRESENTATIONS

HDC Environmental Health: Fourth and FINAL consultation response dated 24th July 2026:

Environmental Health have reviewed the TRC Verification Report, dated June 2026, and the updated Proposed Drainage Plan, which now provides information on the likely locations of the underground storage tanks, and we have the following comments to make.

- 1. From the information provided to date it is not clear what sources of information have been reviewed and what has led the applicants environmental consultants to form the view that the USTs are located in the locations detailed on the drainage plan – we would grateful if this be clarified.*
- 2. From re-visiting the MEC Phase II Ground Investigation Report, dated December 2021, and in particular the plan titled 'Site Summary Plan' (a copy of which is provided below) we note that the tank on the north eastern boundary is broadly consistent to where it has been plotted on the*

Proposed Drainage Plan. However, the other location of the USTs appears to be adjacent to the south western boundary and not consistent to where it has been plotted on the Proposed Drainage Plan.

Environmental Health appreciate that this is a commercial-to-commercial development and that the risks are low, there could however be issues in relation to ground stability and ground contamination in the future if underground storage tanks are still present on the site and have not been adequately decommissioned.

Given the above not in a position to recommend the relevant condition for discharge at this time, would however welcome dialogue with the applicant and/or their environmental consultant on the above.

Third response dated 10th July 2026:

EH have reviewed the TRC Verification Report, dated June 2026, and have the following comments to make. 1. Note that the following is stated in section 3.1 of the above report 'The locations of foundations and drainage runs are shown in third party drawing 140-CIV-D01 Proposed Drainage Plan_C4, Annex A, and includes annotations showing the suspected locations of the USTs'.

Have reviewed this drainage plan but are unable to see any annotations which indicate the suspected location of the USTs – we would be grateful if this can be addressed.

2. All other comments/concerns have been addressed

Other considerations

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective

PLANNING ASSESSMENT

Condition 4 reads as follows:

Pre-Occupation Condition: The development hereby permitted shall not be occupied or brought into use until a verification report has been submitted to and approved by the Local Planning Authority following the completion of remediation works. The verification report to be submitted to the Authority shall contain, but not be limited to, the information recommended to be included at Section 6.3 of the approved Remediation Strategy and Verification Plan (TRC Companies Limited, ref: 440032.0002.0000, version: 2.0, dated: 06.09.2023).

Reason: To ensure that all necessary remediation actions have been satisfactorily completed, that any pre-existing contamination is appropriately addressed by the approved development, and that the approved development does not result in the release and/or transmission of contaminants of risk to human health, controlled waters or the wider environment in accordance with Policy 24 of the Horsham District Planning Framework (2015)

In consultation, and at the request of the Council's Environmental Health Officer, the evidenced remediation has been supplemented and clarifications given, with the submitted report subject to various iterations, now at Version 3.

Those amendments relate to matters including the location of suspected underground storage tanks; the fact that boreholes on site were not decommissioned; membrane installation not undertaken; and detail of material import.

Of these matters, following testing of exposed soil in soft landscaping (without membrane installation), the district Environmental Health officer is satisfied that the omission of the geotextile membrane does not represent a significant risk to human health receptor. The detail of material import (topsoil to soft landscaping) is equally satisfactory (topsoil) and it is considered suitable for general landscape purposes. The explanation to the borehole risk is acceptable (the underlying geology being of low permeability, there is no preferential pathway created between the Made Ground and Weald Clay Formation that would pose a risk to human health or controlled waters). Ultimately, there is a control under separate consent regime via Environment Agency on this matter.

This leaves the information on the likely locations of the underground storage tanks as the sole matter remaining unresolved to the satisfaction of the district Environmental Health officer.

On this matter, it is noted that Environmental Health officer appreciates that this is a commercial-to-commercial development and that the risks are low.

The applicant has sought to address this point in the TRC consultant's Remediation Report Version 3 at paragraph 3.1 Underground Storage Tank (UST) Decommissioning, explaining the following:

Although the presence of USTs were indicated in previous assessments and reports undertaken for the Site, no USTs were identified by the Principal Contractor during the development of the Site. The Principal Contractor excavated foundations or drains up to 1.5m bgl in the suspected locations of the UST. The locations of foundations and drainage runs are shown in third party drawing 140-CIV-D01 Proposed Drainage Plan_C4, Annex A, and includes annotations showing the suspected locations of the USTs. As mentioned previously, it is considered that the USTs referenced were either never present or had been decommissioned and removed historically. It is considered unlikely that any USTs remain undiscovered due to disturbance of the ground as part of the construction.

The point raised by Environmental Health in their 24th July 2026 comments notes inconsistency between the applicant's own evidence at application stage (*Ground Investigation Report, dated December 2021 and the drainage plan*) rather than dispute the conclusions of the TRC Report at paragraph 3.1 via third party evidence sourced otherwise.

It is also noted that the UST location of dispute would be located under one of the permitted buildings which is completed out, so sealing any potential contaminate from direct exposure to human health receptors. In any event, the above evidence from the contractor is that no USTs were found when excavating the site.

In this circumstance, notwithstanding the above unresolved matter, Council Planning Officers are satisfied the details pursuant to the condition 4 are acceptable as the risks to human health receptors is acknowledged by District Environmental Health in their 24th July comments to be low, with the presence of the USTs unlikely given works are now complete and no evidence of them was found during excavations.

Recommendation: Application Permitted

NOTE TO APPLICANT

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DISC/25/0343

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	000440032.0002.0001 VERIFICATION REPORT version 3 dated 9th June 2026 Verification Report SONY Former Sony Facility Southwater Horsham RH13 9YT by TRC Companies Limited		10/06/2026

DELEGATED

Case Officer sign/initial Matthew Porter Date: 24-07-2026

Authorising Officer sign/initial Adrian Smith Date: 24/07/2026